



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicant: Gary C. Gitto

Serial No.: 09/911,259 Filed Date: July 23, 2001

Confirmation No.: 4377 Group: 1745 Examiner: Mark Ruthkosky

For: Flame-Retardant Battery Casing

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
on <u>February 9, 2004</u>	<u>Mary P. McDermott</u>
Date	Signature
Mary P. McDermott	
Typed or printed name of person signing certificate	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

02/12/2004 DTESSEM1 00000094 09911259

02 FC:2401 Sir: 165.00 OP

Applicant hereby appeals to the Board of Appeals from the decision dated **August 8, 2003** of the Primary Examiner finally rejecting claims 1-41. The item(s) checked below are appropriate:

1. ☒ Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated August 8, 2003 for three months from November 8, 2003 to February 8, 2004. *(separate petition for extension of time not required)*
2. ☐ A ☐ month extension of time to respond to the Office Action Made Final dated ☐ was filed on ☐ with payment of a \$☐ fee.

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Office Action Made Final.
3. ☐ An Oral Hearing before the Board of Appeals is respectfully requested.

02/12/2004 DTESSEM1 00000094 09911259

01 FC:2253 475.00 OP

4. Fees are submitted for the following:

☒ Extension of Time for three months. \$ 475.00

☐ Additional Extension of Time:

Fee for Extension ([] mo.) \$ _____

Less fees paid ([] mo.) - \$ _____

Balance of fee due \$ _____

☒ Notice of Appeal \$ 165.00

☐ Terminal Disclaimer \$ _____

☐ Other: _____ \$ _____

TOTAL \$ 640.00

5. The method of payment for the total fees is as follows:

☒ A check in the amount of \$640.00 is enclosed.

☐ Please charge Deposit Account No. 50-1935 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 50-1935. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By Thomas O. Hoover
Thomas O. Hoover

Date: February 9, 2004

Registration No. 32470

Direct tel.: (508) 416-2475

Telephone: (508) 879-5700

Facsimile: (508) 929-3073

Bowditch & Dewey, LLP
161 Worcester Road
P.O. Box 9320
Framingham, Massachusetts 01701-9320